

BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
RESOLUTION NO. 16-271

A RESOLUTION AUTHORIZING SHARED SERVICES DEFENSE AGREEMENT FOR JOINT MEETING OF MUNICIPALITIES FOR JOINT DEFENSE AND REPRESENTATION IN THE MATTER OF THE PETITION OF JCP&L PURSUANT TO NJSA 40:55D-19 FOR A DETERMINATION THAT THE MONMOUTH COUNTY RELIABILITY PROJECT IS REASONABLY NECESSARY FOR THE SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC, BPU DOCKET NO. EO16080750

Councilwoman Horgan offered the following resolution and moved its adoption:

**WHEREAS**, pursuant to the Uniform Shared Services and Consolidation Act (NJSA 40A:65-1, *et seq.*), municipalities may for joint meetings to share various services; and

**WHEREAS**, pursuant to NJSA 48:2-32.2, the Borough of Red Bank (“Red Bank”) and other affected municipalities (“the Municipal Group”) wish to intervene in the Matter of the Petition of JCP&L Pursuant to NJSA 40:55D-19 for a Determination that the Monmouth County Reliability Project is Reasonably Necessary for the Service, Convenience or Welfare of the Public, BPU Docket No. EO16080750 (“the Petition”); and

**WHEREAS**, the Municipal Group wishes to enter into a Shared Services Defense Agreement (“Agreement”) to share resources and split expenses for the cost of special counsel and related experts to challenge JCP&L’s Petition while maintaining confidentiality in communications between government entities, their litigation control groups, counsel and experts; and

**WHEREAS**, the BOROUGH OF RED BANK represents approximately TEN (10%) percent of the total equalized assessed ratable value of the municipalities that make up the Municipal Group; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank, State of New Jersey, that the Mayor is hereby authorized and directed to execute a Shared Services Defense Agreement pending approval by the Borough Attorney.

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Red Bank hereby authorizes the initial expenditure not to exceed TEN THOUSAND DOLLARS (\$10,000.00) with any additional expenses to be approved by Mayor and Council;

**BE IT FURTHER RESOLVED** that a copy of this resolution and the Agreement shall be transmitted to the Division of Local Government Services pursuant to NJSA 40A:65-4(b).

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	( x )	( )	( )	( )
Councilman Zipprich	( x )	( )	( )	( )
Councilwoman Horgan	( x )	( )	( )	( )
Councilwoman Schwabenbauer	( x )	( )	( )	( )
Councilman Taylor	( x )	( )	( )	( )
Councilman Whelan	( x )	( )	( )	( )

Dated: October 26, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on October 26, 2016.

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Pamela Borghi, Municipal Clerk